

Professionalism Commission

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Course for lawyers who exhibit unprofessional behavior.

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The subcommittee had the responsibility of preparing a course for experienced attorneys who exhibit unprofessional behavior that may not rise to the level of drawing a complaint with the Attorney Grievance Commission. To do so, the subcommittee needed the standards and indicia by which the Commission proposes to measure professionalism and the qualities that reflect professional behavior. Many of the indicia reflect leadership skills, time management, and communication techniques that often are omitted from formal legal training (and even continuing legal education) where the emphasis is on the substantive law.

Once the working draft of the standards and indicia became available, the subcommittee committed to reviewing materials from other jurisdictions and also programs already on the market in relation to the standards and indicia of professionalism that the Commission seeks to promote. Additional areas of comparison and evaluation included who should refer an attorney to the course and who should teach the course. Some of these considerations depend upon whether the indicia of professionalism become mandatory or aspirational. Although arguments can be made in favor and against both approaches, there are disciplinary mechanisms that would not have a role in an aspirational system.

To the extent that unprofessional behavior may derive from a variety of circumstances and each individual may respond differently to attempts to teach professional behavior, the subcommittee has addressed its assigned task from the perspective of a non-disciplinary approach. Logically, the peer review system already can encourage or even require an attorney to attend certain programs as a condition of a diversion agreement. The larger problem seems to be where no disciplinary action is pending or even possible, but a particular attorney routinely behaves rudely or inappropriately. In these situations, it becomes important that peers, the bar association, managing partners, or even colleagues can refer an individual to a course that might help to prevent escalation of unprofessional behavior to the point where the person becomes subject to a complaint and faces discipline or even disbarment.

The following report outlines the methodology used by the subcommittee, the information acquired in its research, and recommendations for consideration by the full Commission.

Scope of research

The subcommittee reviewed courses given by other states to determine the content of courses used in other jurisdictions, how other jurisdictions decide who should attend the course, and who teaches the course. In doing so, it became apparent that many of the courses focus on new admittees and address the basic elements of law practice. While many of the issues apply equally to new attorneys and to experienced attorneys, there are distinct differences that make the new-admittee course less helpful for correcting unprofessional behavior. Several of the courses are used for disciplinary purposes through a diversion program.

While a set course has benefits for new attorneys who all need exposure to certain general principles, the more experienced attorneys may exhibit unprofessional behavior in a variety of ways. One attorney may need guidance in communication skills and civility, while another attorney may routinely miss deadlines and need time-management training, and yet another attorney may exhibit unreasonable anger based on poor time-management skills that contribute to an excessive level of stress. The key goal of the program should be one of preventing unprofessional behavior from reaching the disciplinary stage.

To the extent that individuals will be unique in their unprofessional behavior and the appropriate mechanism to remedy the problem, it becomes difficult to create one course that can transform the person into a professional. If a person is ordered to attend the course, there would be a certain stigma attached to it and it could counteract the fundamental values of courtesy, time management, and stress control by not being offered to the rest of the practitioners.

The subcommittee found a number of resources that exist in the marketplace that address communication skills, time management, stress reduction, and other leadership qualities. For some situations, there may be an added benefit to attending a program with professionals from other fields. For qualities that may be unique to attorneys, MICPEL could create a series of practical programs that could be given once or twice each year to assist all attorneys in fine-tuning their professional skills.

The Rules would probably have to be revised to grant judges the authority to order a person to attend one of the courses, although a judge certainly could suggest that someone needs guidance and refer the person to a course that might help. This presumably is within the judge's role as a mentor and can be handled tactfully and without rancor. Additional mechanisms might include the Peer Review Commission and the local bar associations. Even the most offensive attorney usually trusts or respects someone in the legal community, and that person could suggest some of the courses as a means toward addressing the problem.

Recommendations

1. The existing professionalism course for new admittees serves as a useful tool for experienced attorneys who exhibit unprofessional behavior that has not escalated to a severe level. If the attorney attended the course as a new admittee, a different program is advisable.
2. For attorneys whose unprofessional behavior fits into a particular category of complaints (e.g., interpersonal skills, communication, time management), outside courses already exist to address the problems.
 - One advantage of using outside courses involves gaining the perspective that other professionals have the same problems in their fields.
 - Outside courses also minimize the stigma attached to attending a course full of people who have “misbehaved”—many outside courses are attended by individuals who are engaged in professional development, which enables them to set a good example for an unprofessional attorney.
3. One of the roles of judges and mentors needs to include encouraging new and experienced attorneys to attend continuing education that addresses the substantive law and professional development.
 - Ideally, MICPEL could include elements of substance and conduct in its programs, but attending courses that are not limited to attorneys helps develop professional behavior and leadership.
 - Old-fashioned networking among colleagues also can serve a role in promoting professionalism and allow opportunities to recommend a course to someone who has exhibited certain unprofessional aspects—most people respond favorably to the advice of a friend or a colleague whom they respect.
 - Firms that have in-house education programs can take advantage of the outside courses by bringing them in for the whole office and avoid singling anyone out for offensive behavior.
4. Preparation of a specific course for experienced attorneys must include elements very similar to those in the existing new admittee course. Because each person will respond to

different factors to make the choice to improve his or her professional qualities, a course for “errant” attorneys is unlikely to produce the desired results. Instead, repetition of the concepts of professionalism must appear in all training and in targeted programs.

5. Rather than re-invent the wheel, MICPEL should offer a program that would track some of the other jurisdictions that offer a full-day program covering professionalism and ethics.

- The program could be offered to attorneys with 5 years of experience or more to address the difference in perspective between a new admittee who has not experienced any of the situations in the vignettes and the knowledge that comes with a few years of practice—attendees may be more receptive to the instruction and guidance after a few years of practical experience. Again, the goal is to fend off unprofessional behavior, so providing the tools to avoid it early may satisfy the goal in the long run.
- If the indicia become mandatory, the course could be required through the diversion program.

Summaries of Existing Professionalism Courses

The subcommittee divided review of existing programs in other jurisdictions among its interns and members of the committee. By sharing the work, the subcommittee considered programs in 14 jurisdictions: Arizona, California, Colorado, District of Columbia, Florida, Georgia, Illinois, Louisiana, Michigan, North Carolina, Tennessee, Utah, Virginia, and Wisconsin. Many jurisdictions provided the materials they use for their respective programs, and several of the programs include a broad array of subjects in a one-day course. For this report, the information has been summarized to simplify the presentation to the full Commission.

As with Maryland's new-admittee course, the faculty includes members of the judiciary and the bar association who exhibit professional conduct, which provides a good example along with the instruction. This should continue for any course that the Professionalism Commission recommends for Maryland attorneys.

Arizona

Arizona enhances ethics and professionalism through two programs that are implemented by the bar association: Arizona State Bar's Ethics Enhancement Program and Trust Account Ethics Enhancement Program. Both are diversion programs used to protect the public by improving the professional competency of bar members and by providing educational, remedial, and rehabilitative programs. Neither program serves as an alternative to discipline where serious misconduct has occurred or where the circumstances suggest that the program cannot achieve success. Instead, Arizona uses the diversion program when allegations of an ethical violation against an attorney are true, but the sanction would be less than suspension, although some ethical violations may still merit diversion. A mechanism much like Maryland's peer review system requires attorneys to attend the courses using an order to diversion issued by the probable cause panelist.

Staff and Senior Bar Counsel teach the courses on a volunteer basis. The difference between the professionalism course and the diversion course is that the Arizona Supreme Court Rules designate the professionalism course as a mandatory continuing legal education requirement, while the diversion course serves as an alternative to discipline for less severe ethical violations.

The Ethics Enhancement Program presents topics that address the general aspects of practicing law, including formation of attorney/client relationship, duties during representation, termination of representation, trust accounts (creating, maintaining, purpose, who should have access), retainers, and fee agreements.

California

California was the first state to implement an ethics school as part of its attorney discipline program in 1990. In 1991, the State Bar Court began ordering attorneys to attend ethics school as a condition of probation in formal disciplinary matters. In a 1995 recidivism study, only 6.6 percent of the 1,450 attorneys who successfully completed the course had a subsequent inquiry before the bar.

The course is administered and scheduled through the state bar's "Intake Unit," the rough equivalent of Maryland's Attorney Grievance Commission, and it is taught by "experienced prosecutors." The course is open to state bar members who have not been disciplined to assist them in avoiding the most common ethical mistakes. When a member takes the course by choice (as opposed to through a diversion agreement), the member receives MCLE credit. The focus of the course is primarily to serve as a program for errant attorneys.

The California State Bar's ethics school is a one-day, eight-hour course that includes instruction regarding formation of attorney-client relationships, operational details of the relationship (fees, retainer agreements, scope of employment), working the case competently, termination of the relationship, and duties to the client. The course also provides information on substance abuse and stress management. Teaching methods include interactive question and answer sessions, as well as discussion of hypotheticals. Students must pass a final examination at the end of the course to receive credit for completion. There is a separate three-hour component of the ethics school focused on client trust account concepts. At the end of the course, students submit an anonymous feedback form evaluating course content.

Colorado

The Colorado Supreme Court Office of Attorney Regulation Counsel offers their "ethics school" as part of their "alternatives to discipline" program. Attorneys sanctioned by the Colorado Supreme Court's Presiding Disciplinary Judge must attend the school, and any attorney who seeks reinstatement or readmission to the bar must attend the program. The ethics school is not open to the general lawyer population. Of the over 600 attorneys who have attended the program so far, the "vast majority" have responded to the end-of-course questionnaire in "an exceedingly positive fashion," many stating that "it is the best continuing legal education course that they have attended throughout their professional career."

The one-day program is similar to the “professionalism course” that Colorado currently requires for all new admittees, but is longer and more in-depth. Some of the topics covered in the ethics school include: the attorney-client relationship (formation, termination, and withdrawal); private conduct; law office management; trust accounts and operating accounts; fee arrangement and fees; and attorney health issues. The course ends with a final examination.

Many of the issues appear useful for new attorneys, or those who are experiencing accounting difficulties, rather than the types of behavior discussed by the Maryland Professionalism Commission as embodying professionalism generally. The health issues address mostly substance abuse, rather than stress management or anger management.

District of Columbia

The District of Columbia Bar conducts a monthly session of its *Mandatory Course on the D.C. Rules of Professional Conduct and D.C. Practice* for newly admitted members as mandated by the District of Columbia Court of Appeals. Faculty members are asked to focus on what is unique or different in the District of Columbia, and the materials include a comparison of the *D.C. Rules of Professional Conduct* to the *ABA Model Rules of Professional Conduct*. In discussion of the District of Columbia Court Practice, faculty members highlight unique aspects of the local court system and discuss the “top ten pitfalls” and “top ten practice tips.”

The course is for new admittees and reinstated lawyers. Any attorney admitted after July 1, 1994, must complete the *Mandatory Course* within 12 months of the date of admission to the bar, and applies regardless of whether the new admittee plans to practice in the District of Columbia. Members who have been inactive, suspended, or retired for more than five years, who want to change their status to active members, must take the course to regain active status. If a newly admitted member passes the 12-month point without completing the *Mandatory Course*, a notice of non-compliance is sent along with a 60-day grace period within which to complete the course. After the 60-day grace period ends, if the attorney has not completed the course, an automatic suspension is imposed. Reinstatement then can be requested only after attending the *Mandatory Course*. The Office of Bar Counsel handles member compliance issues.

The curriculum of the course includes: Voluntary Standards for Civility in Professional Conduct; Rules of Professional Conduct; System for Regulation of Attorney Conduct; Pro Bono Obligations and How to Fulfill Them; District of Columbia Court Practice; and District of Columbia Administrative Practice. Bar staff and volunteers with expertise in each topic are recruited by the D.C. Bar CLE Office. Local and Federal judges

often join the course faculty for the presentation on the *Voluntary Standards for Civility in Professional Conduct*.

Florida

Florida was the third state to initiate an ethics school program in 1995, after California and Virginia. Florida's ethics school is the primary part of the Florida State Bar's "Practice and Professionalism Enhancement Program" and serves as a diversion program from formal disciplinary proceedings.

The Florida program helps to rehabilitate attorneys who are the subject of relatively minor grievance complaints, based on Florida Bar Rule of Discipline 3-5.3(b), which explains that "[d]isciplinary cases that otherwise would be disposed of by a finding of minor misconduct or by a finding of no probable cause with a letter of advice are eligible . . ." for the ethics school. Attorneys charged with more serious complaints (e.g., misappropriation of client funds, dishonesty, misrepresentation, deceit or fraud, or the commission of a felonious act) are not candidates for the program. If an attorney already attended the school within the past seven years, has been disciplined within the past three years, or has been charged with similar misconduct within the past five years, the ethics school is not an option for that person. A study of the program indicated that only 8 % of the lawyers who participated received a subsequent disciplinary complaint against them.

Once the state grievance commission recommends an attorney for diversion to the ethics school program, the attorney may accept or reject the recommendation. When an attorney accepts diversion to the program, the bar terminates its investigation and its disciplinary files are closed indicating the diversion. The bar's file remains closed if the attorney completes the program, but the file may be re-opened and further disciplinary proceedings may be conducted if the attorney does not complete the program and pay the costs of the program.

Florida's ethics school uses a structure that resembles the California program. It involves a one-day course that covers a variety of topics including: formation of the attorney-client relationship; fees; ethics rules and disciplinary system; duties during client representation; terminating the attorney-client relationship; chemical dependency and stress management; trust accounts; hiring employees; advertising; and law-office management. The general focus is on the improvement of the lawyer's practice, professional conduct, and skills. Participants receive substantive materials and taped lectures to assist them to incorporate the procedures into their practices. All participants must pass a final examination to complete the course.

Georgia

The Georgia Chief Justice's Commission on Professionalism is looking at implementing a Mandatory Transition Into Law Practice Program. The Plan calls for revisions to the Mandatory Continuing Legal Education provisions of the Rules and Regulations for the Organization and Government of the State Bar of Georgia. The Supreme Court of Georgia will act on the revisions early in 2005 following a publication and comment period. If the revisions are approved, the Program will go into effect in January 2006.

The Transition Into Law Practice Program was created for beginning lawyers in Georgia and involves a one-year program that provides professional guidance and counsel to newly admitted lawyers to help them acquire the practical skills, judgment, and professional values necessary to practice law in a highly competent manner. The program tries to afford new admittees with meaningful access to an experienced lawyer who can teach practical skills, provide seasoned judgment, and encourage sensitivity to ethical and professionalism values that represent the best traditions and highest aspirations of the legal profession.

Most beginning lawyers attend an Enhanced Bridge-the-Gap program that combines the content and format of an existing one-day Bridge-the-Gap program with a second day of instruction that focuses on the role of attorneys in working with and counseling clients, dealing with others as representatives of clients, and negotiating for clients. The program is presented in large sessions of approximately 500 to 600 attendees. The bar plans to update the format of the Bridge-the-Gap program and to add an alternative continuing legal education program called the Fundamentals of Law Practice. The new program will limit attendance to 100 beginning lawyers per session and also will cover two days. Most instruction will be offered in small groups of 12-15 to permit close, hands-on guidance and interaction between the experienced lawyer-instructors and the beginning lawyers.

Priority to attend the Fundamentals of Law Practice will be given to new lawyers who are not practicing with a firm that has a lawyer of five years or more experience. In the small group settings, the program will attempt to offer beginning lawyers an opportunity to talk one-on-one and learn from experienced lawyers who will serve as the instructors. The Enhanced Bridge-the-Gap and Fundamentals of Law Practice Programs emphasize mentoring and try to create a synergy between the CLE component and the mentoring component. A Model Plan of Mentoring Activities and Experiences has been prepared featuring a list of suggested experiences and topical questions that the mentor and beginning lawyer can draw on to customize a Mentoring Plan that fits their particular needs and circumstances. Using the Model Plan as a guide, the mentor and beginning lawyer should devise a plan for the coming twelve months that will foster discussion and implementation of professional skills

and values. The plan should include several elements: regular contact and meetings between mentor and beginning lawyer; continuing discussions on ethics and professionalism, client relationships, professional work habits, organizational skills, economic aspects of practice, pro bono and community service, introduction to the local legal community, continuing legal education, and evaluation of the mentor-mentee relationship.

Illinois

Illinois conducts a “Professionalism Seminar” that is open to any lawyer who wants to attend, although it was initially developed for lawyers who exhibited certain practice problems. The bar has begun sending notices about the course to newly admitted lawyers whose registration shows that they do not work with a firm or government office. Identifying appropriate candidates for the program occurs through multiple sources. Staff may observe a problem during an investigation of one or more minor grievances, or an inquiry panel may refer the person through a diversion process or as part of a disciplinary sanction in a case that leads to formal discipline.

Mechanisms for securing attendance range from friendly suggestion to court order, in addition to invitations to newly admitted lawyers. The suggestions are rarely effective—most attendees appear based on a diversion agreement or as part of a disciplinary sanction ordered by the Supreme Court. Other lawyers who plan to apply for reinstatement after disbarment or suspension may attend the course as well.

The Professionalism Seminar is a three-part course focusing on the Rules of Professional Conduct and practical day-to-day application of the Rules in operating a law office and in resolving the common ethical dilemmas faced by all lawyers. Topics include law office management (filing, calendars, conflicts, advertising, trust accounts); fee agreements; communication; duties to the courts, clients, and other attorneys; fiduciary duties; and stress management. The manual that accompanies the course includes a number of sample forms for further guidance. The seminar is taught by practitioners who have been invited based upon a number of factors, such as prior experience in giving CLE presentations; experience representing lawyers in disciplinary cases; and bar association recommendations based on involvement in diversion or mentoring programs.

Louisiana

The Louisiana State Bar Association’s (LSBA) ethics school serves as the chief component its diversion program. The Practice Assistance and Improvement Program provides an alternative to discipline and relies upon the ethics school as a central feature. The Louisiana ethics school began in January of 1999 and is conducted semi-annually, with

the stated goal “to improve the level of understanding amongst practitioners about practical ethical problems and proper law office management, while at the same time avoiding a permanent record of discipline.” The diversionary program operates much like the peer review system in Maryland. Lawyers who have breached the state’s Rules of Professional Misconduct in a minor or inadvertent way are offered diversion as an alternative to formal discipline. The program also can be required as part of discipline imposed by the Louisiana Supreme Court. A lawyer who participates through the diversion program must sign a formal contract setting forth the conditions of diversion.

The Louisiana school is a one-day course with an “intense agenda addressing ethics, professionalism and law-office management.” The curriculum includes: the lawyer disciplinary system; the attorney-client relationship (formation, client screening, accepting representation, billing, fees and costs, solicitation, and termination); conflicts of interest; advertising; law office management; substance abuse, stress, and the Lawyers Assistance Program; handling client property and trust accounting; and handling fee disputes. The school’s faculty includes practicing attorneys, law school professors, and the state’s chief disciplinary counsel. The faculty avoids spending too much time on ethical theory and, instead, focuses on providing “practical, common sense guidance on the application of the rules to everyday practice.”

All attendees must pay \$ 350 and pass a final exam at the end of the day. Attendees who fail the test must retake the entire course and the exam. Attendees who pass the test receive four hours of MCLE credit. In 2002, there were plans to expand the ethics school to include all new admittees, and the bar association also considered making the ethics school available to members generally, rather than limiting it to those in the diversion program or disciplinary process. Between January 1999 and June 2002, 189 lawyers successfully completed the ethics school, and the state’s chief disciplinary counsel said that they have “rarely seen repeat complaints about those who have attended the school.” The majority of the feedback from ethics school attendees also has been positive.

Michigan

Michigan is one of the most recent states to implement a diversion program including an ethics school. The school was begun in May of 2003 and is in most respects identical to those in other jurisdictions. The program’s primary goal is to “locate all contact points between lawyers and clients that cause disputes and find ways to avoid or at least minimize the potential problems.” The ethics school is part of Michigan’s diversion program, which handles minor misconduct caused by poor office management procedures or poor stress management skills.

The ethics school is a one-day program that is taught semi-annually to approximately 20 to 30 attorneys at a time. The curriculum listed for the Michigan ethics school is very similar to that of Louisiana: an overview of the lawyer discipline system; the attorney-client relationship; fee arrangements and avoiding disputes; substance abuse, stress management, and the Lawyers and Judges Assistance Program; trust accounting and handling client property; law office management and technology; conflicts of interest; professionalism and civility; and current issues in ethics. The school's faculty includes practicing lawyers, bar leaders, and lawyers from the Michigan Attorney Grievance Commission. Each attendee must pay \$250 for the program, which includes the cost of written materials provided to the attorney.

North Carolina

The North Carolina Chief Justice's Commission on Professionalism (CJCP) was established in 1998 by order of the North Carolina State Supreme Court. The primary charge of the Commission is to enhance professionalism among North Carolina's judges, lawyers, and law students. In doing so, the CJCP must provide ongoing attention and assistance through a variety of programs, projects, and publications, to ensure that the practice of law remains a high calling, dedicated to the service of clients and the public good.

Routine activities of the CJCP:

- Law School programs on professionalism and assisting law schools with their own professionalism programs.
- Professionalism presentations provided throughout the state to voluntary bar associations, judicial district bar associations, civic organizations, and law firms.
- Participation and membership on professional boards and committees in order to help implement ideas that affect professionalism.
- Write and provide articles on professionalism for professional publications (legal, business, and educational).
- Provide suggestions and lobby for changes to the State Bar CLE requirements in order to ensure lawyers have adequate professionalism related programs.
- Seek involvement in established programs or in establishing programs to further enhance professionalism in the state.

The program provides an interesting example of an ongoing Professionalism Commission, rather than an outline for a professionalism course for experienced attorneys.

Tennessee

Tennessee has an Ethics Workshop as part of its “practice and professional enhancement program.” The workshop is the primary means used for diversion from discipline. The program is for attorneys whose misconduct would otherwise be disposed of by a private informal admonition or a private reprimand, but a lawyer cannot participate in the diversion program more than once in five years. Referrals to the diversion program are made by the Board of Professional Responsibility or by a combination of the disciplinary counsel and a Hearing Committee Member. As with other diversion programs, the action does not constitute a disciplinary sanction and remains confidential. Failure to complete the program becomes an aggravating factor in subsequent disciplinary proceedings.

Tennessee’s program is taught by judges, well-respected private practitioners, and disciplinary counsel. In comparison to the new admittee programs conducted by local bar associations in the state, the ethics workshop “focuses on the problem areas most frequently raised in complaints against attorneys.” One of Tennessee’s programs included the following topics: attorney-client relationships; fees; ethics in criminal law; law practice management; lawyer assistance program; recovery and reinstatement; and elective “break out groups” on trial practice, advertising, conflicts, and consumer assistance. The day-long program ends with a short examination.

Utah

Utah’s Ethics School is offered twice a year and is open to the entire bar membership. Mandatory attendance applies to those attorneys who are subject to a disciplinary order by the Chair of the Ethics Committee of the Utah Supreme Court, the Utah State District Courts, or the Utah Supreme Court, or as part of a stipulated diversion agreement with the Office of Professional Conduct.

The course is taught by attorneys from the Office of Professional Conduct and private practitioners. The material covered in the course is very similar to that which is covered in the New Lawyer CLE program, including: overview of the attorney discipline process and the applicable rules; attorney-client relationships (formation, documentation, and declining representation); avoiding and handling bar complaints; trust account management; the Utah Bar Foundation; professionalism and civility; conflicts of interest and risk management; and malpractice issues.

Virginia

The Virginia State Bar was the second jurisdiction to institute an ethics school (after California), but no longer conducts the program because of “resource issues,” and a decision to focus attention on resolving bar complaints and prosecuting charges of misconduct.

Wisconsin

Wisconsin offers its “Attorneys’ Professionalism Seminar” as part of an alternative to discipline. The diversion program involves a written agreement between the attorney and the director of the Office of Lawyer Regulation. An attorney is eligible for diversion if his or her misconduct would not warrant any sanction more severe than a private reprimand and there is little likelihood of any resultant harm to the public. Like other states, the attorney would not be eligible if he or she had been disciplined or diverted from discipline in the preceding five years, or if the misconduct is part of a pattern of similar misconduct. The attorney must bear all costs of the diversion program. Wisconsin’s Supreme Court Rule 22.10 (available online at www.wicourts.gov), provides comprehensive details regarding the diversion program.

The one-day course is taught by “prominent individuals in the profession and members of the disciplinary agency staff.” A recent schedule included presentations regarding: attributes of the model lawyer; diligence; communication; conflicts; trust accounts; tribunals; managing litigation; office systems; technology solutions, managing risk; fee arbitration; state bar programs and services; and current developments in lawyer regulation. Wisconsin currently does not have a comparable course for new admittees but is in the process of developing an appropriate program.

Programs on the Market Outside MICPEL

ALI-ABA

www.ali-aba.org

The American Law Institute coordinates a national program of continuing legal education. The courses include substantive and practical aspects of the practice of law. There are a variety of books, videos, courses to attend, and even an option to hold in-house training sessions. ALI-ABA prides itself on serving as a resource for national, state, and local agencies involved in continuing legal education and it makes its materials available to a variety of individuals involved in post-admission legal education. Among the lawyering skills programs are courses in: legal writing and editing, effective legal negotiation and settlement, taking depositions, ethics update, persuasion in the context of advocacy, and public speaking. The courses are given around the country, and often in Washington, DC.

Dale Carnegie Training

www.dalecarnegie.com

Dale Carnegie Training operates on a global level and offers programs in leadership skills as well as interpersonal and communications skills that improve individual performance and enhance team performance. Although many of the programs focus on the business world, the legal profession requires many of the same types of management, communication, and interpersonal skills. Courses are given in a variety of cities, as well as through videos and other materials, and in-house programs may be arranged for larger offices. Courses incorporate a variety of attitude-oriented programs, including leadership training, effective communications and human relations skills, public speaking, managing without authority, building positive relationships at work, holding yourself accountable for results, developing people skills, handling multiple demands on your time, and replacing workplace negativity with enthusiasm.

Careertrack

www.careertrack.com

Careertrack was developed through the support of Fred Pryor Seminars and has a multitude of career development resources, including formal programs, online learning, notebook materials, CD-ROMs, videos, audios, and books. The topics cover many aspects of communication, teamwork, and stress management, including communication skills, supervision, interpersonal communication, dealing with difficult people, team building, leadership skills, managing multiple projects and deadlines, and other time management skills. The programs are offered in cities throughout the country and often cost less than \$100. Lower rates apply when more than one member of an office attends and many of the courses can be obtained in video form for repeated use within an office.

Cornell ILR

www.ilr.cornell.edu

Although Cornell's Industrial and Labor Relations School (ILR) offers a full four-year undergraduate program in industrial and labor relations as well as several graduate degree programs, it also conducts institutes for experienced executives. The faculty specializes in personnel and human resource management, labor law and history, and social statistics. Cornell ILR offers groups of programs for supervisory and management personnel to acquire the knowledge and skills needed to be successful in today's workplace. Workshops focus on issues such as managing performance, coaching, problem solving and resolving conflict. Personal skill building courses include stress management, communication, creativity and innovation, and time management development. The courses offered tend to be more expensive than some of the others, but focus on leadership skills that are essential to more experienced lawyers. The courses also enable attendees to learn from the experiences of professionals in other fields, rather than focus solely on law. Some programs are provided on-line, but most are presented at Cornell's New York City campus.

Franklin Covey

www.franklincovey.com

Based on the "7 Habits of Highly Effective People" by Stephen Covey, this organization offers management and leadership training that emphasizes communication and time-management. As with the other sources, there are courses to attend and materials available on-line and for purchase. The programs usually are offered in a few locations and not necessarily in Maryland or Washington, DC. Some of the written materials can provide enough helpful information to substitute for the visual program.

Speaker—Stephen Gower

<http://www.stephengower.com>

Mr. Gower is a certified speaking professional, who addresses how professionals are perceived. His presentations cover communication and misunderstandings in an entertaining way, and he also has publications available for purchase. For fine-tuning professionalism and promoting personal development, he uses anecdotes to drive home the concepts of his program. One example, involves the notion that "the microphone is always on" to emphasize the importance of caution in every act and comment. His central focus is on perceptions and he can gear his presentation to his audience.